

**ORDINANCE NO. O-2017-64**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "C-2", GENERAL COMMERCIAL DISTRICT TO "PMXD-2", PLANNED MIXED USE DISTRICT WITH A FINAL SITE PLAN ON LOT 20F OF NCB 1082, ONE LOT TOTALING APPROXIMATELY 1.13 ACRES OF LAND LOCATED SOUTH OF THE SOUTHWEST INTERSECTION OF EAST SOUTHEAST LOOP 323 AND G E DRIVE (3205 G E DRIVE); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1:** That the following zone change is hereby approved as follows:

**I. APPLICATION PD17-014**

That the following described property, which has heretofore been zoned "C-2", General Commercial District to "PMXD-2", Planned Mixed Use District with a final site plan, to wit:

Lot 20F of NCB 1082, one lot totaling approximately 1.13 acres of land located south of the southwest intersection of East Southeast Loop 323 and G E Drive (3205 G E Drive), and in accordance with the final site plan attached hereto as Exhibit "A" and incorporated herein.

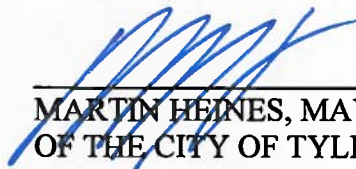
**PART 2:** That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning and the future land use to reflect High-Density Mixed-Use Center.

**PART 3:** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

**PART 4:** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the

newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be July 28<sup>th</sup>, 2017.

**PASSED AND APPROVED** this the 26<sup>th</sup> day of July A.D., 2017.


  
\_\_\_\_\_  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

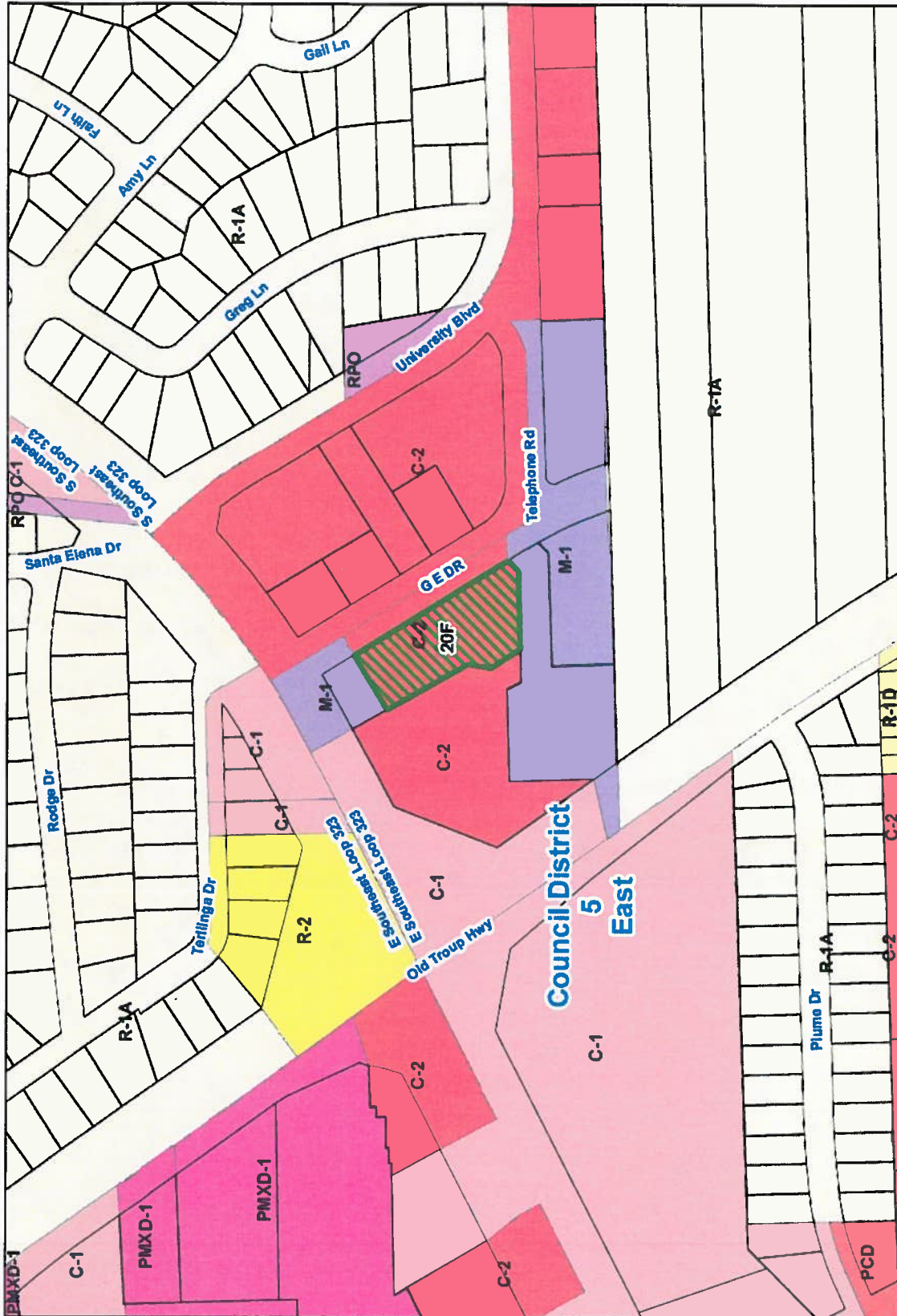
  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK



  
\_\_\_\_\_  
DEBORAH G. PULLUM,  
CITY ATTORNEY



**ORDINANCE NO. O-2017-64  
EXHIBIT "B"  
LOCATION MAP**



Subject Property



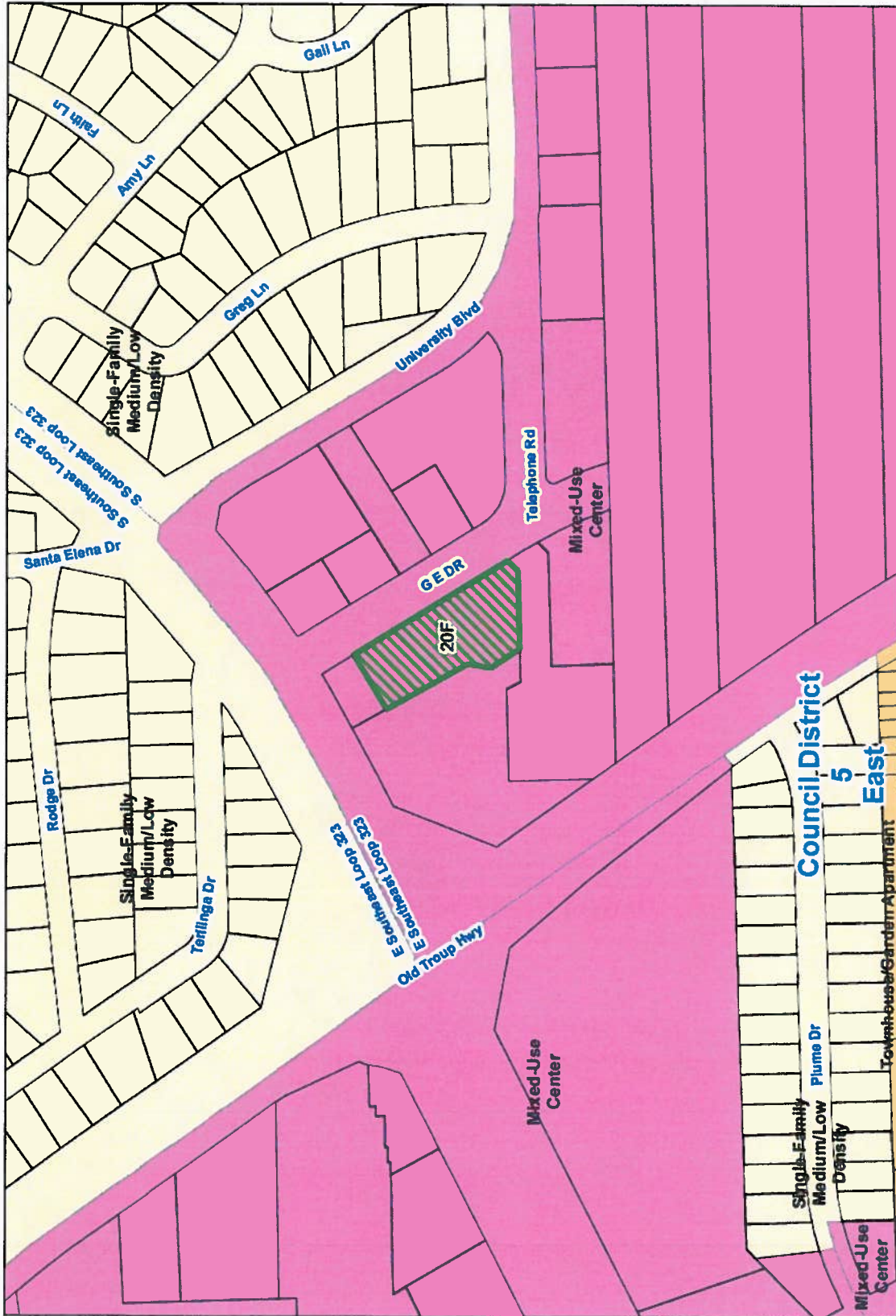
**ZONING CASE**  
 Zoning Case # PD17-014  
 Existing Zoning: "C-2" Proposed Zoning: "PMXD-2"  
 Applicant: MACK PATEL

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

250 0 250 Feet



**ORDINANCE NO. O-2017-64  
EXHIBIT "C"  
TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**

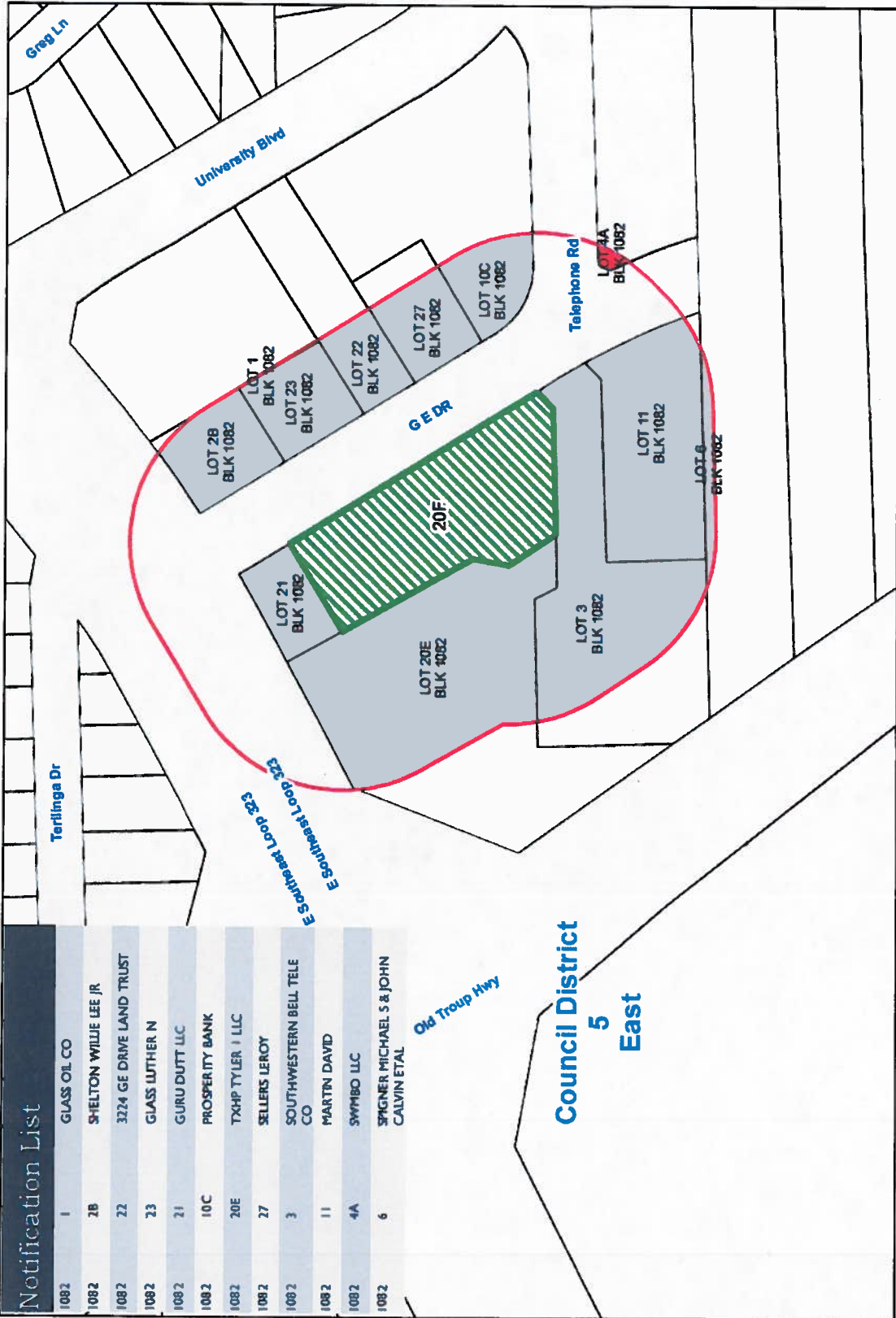


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**ORDINANCE NO. O-2017-64  
EXHIBIT "D"  
NOTIFICATION MAP**



**Notification List**

1082	1	GLASS OIL CO
1082	2B	SHELTON WILLIE LEE JR
1082	22	3224 GE DRAVE LAND TRUST
1082	23	GLASS LUTHER N
1082	21	GURU DUETT LLC
1082	10C	PROSPERITY BANK
1082	20E	TXHP TYLER J LLC
1082	27	SELLERS LEROY
1082	3	SOUTHWESTERN BELL TELE CO
1082	11	MARTIN DAVID
1082	4A	SWYMO LLC
1082	6	SPIGNER MICHAEL S & JOHN CALVIN ETAL

Subject Property  
 200' Notification Buffer  
 Protest Lots

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150 0 150 Feet